

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CASIMIRO JOSE CANHA CAVACO
DIAS,

Plaintiffs,

v.

RULA NABIL KHOURY CAVACO DIAS,
Defendants.

Case No. 24-cv-04471-EMC

**ORDER ON PETITIONER'S MOTION
FOR ACCESS PENDING TRIAL**

Docket No. 98

Following the hearing before this Court on September 18, 2024, at 10:00 a.m. in Courtroom Five (5), of the United States District Court for the Northern District of California, in which counsel for the Petitioner, CASIMIRO JOSE CANHA CAVACO DIAS (hereinafter "Mr. Dias") appeared in person, and Petitioner appeared remotely, and counsel for Respondent, RULA NABIL KHOURY CAVACO DIAS (hereinafter "Ms. Dias"), and Respondent appeared in person, the Court, having read and considered the pleadings, declarations, and oral arguments submitted in this matter, makes the following orders:

ORDERS FOR ACCESS PENDING TRIAL

1) Supervised Visitation: All visits through final disposition of the trial scheduled to commence October 29, 2024, shall be professionally supervised by a monitor to be agreed upon by the Parties. The Parties will work with one licensed, Supervised Visitation Monitor (hereinafter, "Monitor") to schedule visits in accordance with this order. The Monitor will determine the time and place for these visits. The Monitor shall have authority to terminate visits for cause.

- a. The Parties have appointed the company, Terra Firma, as the supervised visitation provider in this matter as the organization has a sufficient number of monitors from

which to select a Monitor to meet all phases of this Court's orders (as set forth below in Paragraph 3).

- b. Mr. Dias shall advance the supervised visitation fees and costs subject to the Court's jurisdiction to reallocate fees.

2) Supervised Visitation Reports: Each visit will be supervised by the Monitor. After every visit, the Monitor shall submit a factual report directly to this Court by email to the Courtroom Deputy (emccrd@cand.uscourts.gov) and to counsel simultaneously by email.

3) Visitation Schedule: Pending trial, supervised visitation shall be as follows, absent an adverse report from the Monitor.

- a. **PHASE 1:** One (1) week of supervised remote 20-minute video sessions as follows:

- i. Weekday: 20-minute video visit, three (3) times a week (to be calendared at a time considering the children and Monitor's schedule); and
- ii. Weekend: 20-minute video visit for both Saturday and Sunday.

- b. **PHASE 2:** One (1) week of supervised remote and supervised in-person visitation as follows:

- i. Weekday: 20-minute video visit, three (3) times a week;
- ii. Weekend: Three (3) hour in-person visits for both Saturday and Sunday.

- c. **PHASE 3:** Thereafter, supervised remote and supervised in-person visitation, as follows:

- i. Weekday: 20-minute video visit, two (2) times a week. Additionally, three (3) hour in-person visit, one (1) time a week.
- ii. Weekend: Three (3) hour in-person visits for both Saturday and Sunday.

4) Court Review of Reports and Confirmation of Phases: Commencing one (1) week after the start of Phase 1, the Court shall review all supervised visitation reports from the Monitor, and issue an order each week regarding permitting the transition to the next Phase as anticipated under this order. If Mr. Dias has not conducted himself in a manner wherein the visit has been canceled by the Monitor, the Court is amenable to ordering the Phases to transition weekly.

3